

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

RECEIVED  
USDC CLERK, CHARLESTON, SC  
2006 FEB -1 P 3:13

Johnny Mack Thacker, # 62517,

Plaintiff,

-vs-

Dennis Chapman, Individually and in  
his capacity as an Investigator with  
First Citizens Bank, Columbia, SC;  
and P.M. Banco, Individually and in  
his capacity as a Police Investigator  
with the City of Columbia Police  
Department, Columbia, SC,

Defendants.

Civil Action No. 9:05-3424-SB

**ORDER**

This matter is before the Court on the pro se Plaintiff's complaint alleging violations of his constitutional rights. By local rule, the action was referred to United States Magistrate Judge George C. Kosko for preliminary review.

On December 21, 2005, the Magistrate Judge issued a report analyzing the complaint and recommending that the action be dismissed without prejudice. Specifically, the Magistrate Judge concluded that the complaint was premature, as the underlying criminal charge out of which the alleged violations arose has not been finally decided. The Plaintiff was given notice of the obligation to file specific, written objections within ten days. To date, no objections have been filed.


Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a magistrate judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v.

Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, since objections were not filed, there are no portions of the report and recommendation to which a de novo review must be conducted.

Accordingly, the Magistrate Judge's report and recommendation is hereby adopted as the order of this Court, and it is

ORDERED that this action is dismissed without prejudice and without issuance or service of process.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Sol Blatt, Jr.  
Senior United States District Judge

January 31, 2006  
Charleston, S.C.

#2  
=